

REGULAR SESSION RUSH COUNTY BOARD OF COMMISSIONERS JANUARY 18, 2011

The Rush County Board of Commissioners met in regular session, Monday, January 18, 2011 with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance.

Commissioner Tom Barnes called the meeting to order, Ken Masters made the motion to approve the minutes of the January 4, 2011 meeting as presented. Marvin Cole seconded the motion. Motion carried.

RALEIGH FIRE DEPT

The commissioners reviewed the Raleigh Fire Dept Annual Run Report for 2010. The commissioners received and reviewed a letter from Raleigh Fire Chief Verlin Custer regarding a run dispatched on January 15, 2011. The commissioners noted the concerns shared. Sheriff Jeff Sherwood commented that he also had received a copy of the letter.

YOUTH DETENTION CENTER

Mark Fields, Chief Probation Officer, appeared before the commissioners seeking the renewal of Gibault, Inc. – Henry County Youth Center agreement for 2011. The agreement is for \$130.00 per day for 180 bed days. Fields explained that the county usually still goes over the 180 bed days every year. The cost is still \$130.00 per day. Gibault, Inc. who bought out Henry County Youth Center is a youth detention center. Ken Masters made the motion to renew the agreement. Marvin Cole seconded the motion. Motion carried.

TREASURER

Mary Ann Beard, Treasurer, appeared before the commissioners to hold the 2011 Board of Finance meeting. Commissioner Tom Barnes called the meeting to order at 9:10 a.m.

The commissioners reviewed the annual investment report. Beard reported that the county is no longer investing in certificate of deposits. As treasurer, Beard reported that she is now investing the counties monies in money markets.

Beard discussed the recent legislation passed regarding collateralization ratings on banks and how this may present a problem with the taking of public funds.

The Board of Finance meeting closed at 9:16 am.

CLERK

Debbie Richardson, Clerk, asked the commissioners to approve the Microvote Election Management System (Software License Agreement) for 2011. Ken Masters made the motion to approve the motion. Marvin Cole seconded the motion. Motion carried. The agreement is in the amount of \$9,500.00

EMA

Mike Ooley, EMA Director, reported that the 2009 SHSP grant in the amount of \$43,200 is ready to move forward. Ooley noted that there is 45 day turn around and that the grant included seven mobiles for the fire departments and the monitors for the EMA department of the courthouse.

Ooley reported that all of the EF Johnson 800 radios have been retouched

Ooley finished by reporting that the NIMS ICS-400 class is scheduled for January 29 and 30, 2011 at Rush Memorial Hospital.

ANDERSON TWP FIRE DEPT

Nick White, Anderson Twp Fire Dept. Fire Chief, brought before the commissioners an invoice from Baltus Electronics in the amount of \$5,352.00 Discussion was held to pay the invoice from the OCRA funds. Deborah Adams informed the commissioners that the OCRA funds were not appropriated as a whole. Adams explained that this would need to be submitted before the council for additional appropriation during their February meeting.

SHERIFF

Jeff Sherwood, Sheriff, reported forty-two (42) inmates incarcerated in the Rush County jail of which three (3) are sentenced and thirty-nine (39) are pre-sentenced.

Sherwood reported that on January 8, 2011, a vehicle was totaled by Dahl Petry at 300 N and 450 W. Sherwood also reported that Sunday, January 16, 2011 Duane Raab was rear ended by another vehicle while his deputy vehicle. Sherwood had not received the repair estimates on Raab's deputy vehicle.

Sherwood discussed with the commissioners the possible replacing by purchasing three (3) new department vehicles during 2011. Sherwood reported that the department did not purchase any vehicles in 2011. Sherwood reported that he has considered the Chrysler Durango but felt the cost was too high. Sherwood discussed another vehicle option would be a Chrysler Police 4X4 truck. The truck with discount and trade in would cost approximately \$19,000.00 and can be purchased locally. The truck also features an extended cab and comes with the police package. Sherwood noted that Henry and Brown County is utilizing the 4x4 truck. Sherwood said he was looking at the final dollars saved.

HIGHWAY

Jerry Sitton, Highway Superintendent, provided the January monthly report. Sitton reported on bridge #158 and bridge #159 and that he will move money for this project.

Sitton reported on the third phase of the Carthage Pike project. Sitton reported that fourteen (14) parcels will cost \$218,000.00 for Right of Way. Sitton will approach the council for an additional appropriation of \$225,000.00 to cover the Right of Way. The project will be ready for letting in October.

HEALTH INSURANCE COMMITTEE

Jerry Sitton, Health Insurance Committee Chairman, reported that the county participating employees are within 51% of our aggregate which is very good. The health insurance committee will meet Friday to further discuss the Wellness that will begin March 1, 2011.

COMMISSIONER CERTIFICATE SALE

Glen Luedtke, Client Service Director of SRI, Inc., and Tim Rushenberg, President of SRI, Inc., appeared before the commissioners to discuss and come to agreement of terms of the commissioner tax certificate sale. The commissioners pointed out that their main concern was to take a positive step towards placing property back on the tax rolls. It was pointed out that parcels within the city limits can be transferred by the commissioners to the city, if the city request. Luedtke did explain that the property owner does have 120 days following the tax certificate sale to redeem the property. The property owner would need to pay all the back taxes during this redemption process.

Discussion was held regarding the signing of a one (1) year "*SRI Services Master Agreement*" or the signing of an automatic renewal "*SRI Services Master Agreement*" It was pointed out that the automatic renew

agreement has a 30 day clause. Ken Masters made the motion to approve the SRI Services Master Agreement containing the thirty (30) opt out clause. Marvin Cole seconded the motion. Motion carried.

Discussion was held regarding having the tax certificate sale “live” or via “internet”. Tom Barnes spoke that the counties he researched felt that an internet sale was the way to go. Ken Luedtke explained that Internet sale fees are 10% of the parcel sale and a live sale fee is 15% of the parcel sale. Ken Masters made the motion to proceed with conducting the tax certificate sale as an “Internet” sale. Marvin Cole seconded the motion. Motion carried.

The commissioners set the tax certificate sale bids to be 10% of the original certificate with the minimum bid being no lower than \$25.00 as addressed in “Exhibit A” of Resolution 2011-1. Marvin Cole made the motion to approve Resolution 2011-1. Ken Masters seconded the motion. Motion carried.

RESOLUTION 2011-1

A RESOLUTION ESTABLISHING THE INTENT TO CONDUCT A COMMISSIONER’S SALE TO SELL TAX SALE CERTIFICATES FOR PROPERTIES THAT ARE SEVERELY DELINQUENT IN PAYMENT OF PROPERTY TAXES.

WHEREAS, there are several properties in Rush County that are severely delinquent in the payment of property taxes, having been offered for tax sales and which received no bids equal to or in excess of minimum sale price. The parcel numbers of those properties being attached to this resolution as ‘Exhibit A’, and

WHEREAS, there is an assessed value associated with these properties for taxation purposes, but no taxes are being collected, therefore causing a lower than expected tax distribution to those taxing units and taxing districts within which the properties are located, and

WHEREAS, the Rush County Commissioners desire to have these properties back on the tax rolls with taxes being collected, and

WHEREAS, Indiana Statute, IC 6-1.1-24-6 through IC 6-1.1-24-6.4 allows for the County Commissioners to acquire a lien on those delinquent properties and receive issuance of the tax sale certificates for those properties, without taking title to the properties, therefore limiting the liability and cost normally associated with taking title,

NOW, THEREFORE, BE IT RESOLVED by the Rush County Board of Commissioners that the County Executive shall acquire liens and receive tax sale certificates of the properties listed on ‘Exhibit A’ that are severely delinquent and sell said certificates at a properly advertised Commissioner Tax Certificate sale.

Adopted this 18th day of January 2011.

/s/Thomas Barnes
Thomas Barnes, Board of Commissioners, Chairman

/s/Marvin L. Cole
Marvin L. Cole, Board of Commissioners, Member

/s/Ken Masters
Ken Masters, Board of Commissioners, Member

ATTEST: /s/Deborah C. Adams
Deborah C. Adams, Rush County Auditor

2010 Tax Sale Certificates
Held by
Rush County Commissioners

EXHIBIT "A"

PROPERTY ID	OWNER	COMMON ADDRESS	LEGAL DESCRIPTION	AV LAND	AV IMPROVEMENT	AV TOTAL	ORIGINAL CERTIFICATE AMOUNT
700731477005000011	CRAVEN, WILLIAM C & JULIE	321 W 7TH RUSHVILLE, IN	THOMAS ADD LOT 3 PT 31 14 10 321 W 7TH	\$ 17,600.00	\$ 9,900.00	\$ 27,500.00	\$23,778.50
700731477025000011	DIAMOND PROPERTIES INVESTMENTS LLC	312 W 5TH, RUSHVILLE, IN 46173	CULLEN ADD PT LOT 5 312 W 5TH	\$ 9,600.00	\$ 39,300.00	\$ 48,900.00	\$4,741.84
700731485020000011	ELBOW & KNEEHIGH ENTERPRISES, INC.	621 N MAIN, RUSHVILLE, IN 46173	L SEXTON HRS 1ST PT LOT 3 & 4 621 N MAIN	\$ 23,700.00	\$ 35,400.00	\$ 59,100.00	\$3,382.32
700732306015000011	BAILEY, DOROTHEA L	326 E 9TH, RUSHVILLE, IN 46173	GRAHAM ADD LOT 9 326 E 9TH	\$ 15,200.00	\$ 26,400.00	\$ 41,600.00	\$2,488.26
700732379005000011	COOPER, MILDRED & ET AL C/O ARVELL W THOMAS	519 E 7TH, RUSHVILLE, IN 46173	PT 32 14 10 .50 519 E 7TH	\$ 8,300.00	\$ -	\$ 8,300.00	\$460.32
701106210002000011	CRITES, DALE J. & SHARON C/O FRANKLIN SUPPLY CO.	337 W 4TH ST, RUSHVILLE, IN 46173	PT 6 13 10 W 4TH	\$ 14,400.00	\$ 54,700.00	\$ 69,100.00	\$8,735.65
701106226005000011	KETCHUM, LINDA	424 COTTAGE AVE, RUSHVILLE, IN	STEWART & PUGH PT LOT 10 424 COTTAGE AVENUE	\$ 5,500.00	\$ 10,600.00	\$ 16,100.00	\$2,298.26
701106228001000011	FISHER, LADENA L	424 N HARRISON, RUSHVILLE, IN 46173	S & P PT LOT 4	\$ 11,400.00	\$ 36,000.00	\$ 47,400.00	\$1,870.71
701106258013000011	GREENE, GERALD S	424 W 1ST ST, RUSHVILLE, IN	P B M & C PT LOT 3 424 W 1ST	\$ 4,800.00	\$ 23,800.00	\$ 28,600.00	\$3,434.67
701106262005000011	KETCHUM, LINDA	WATER ST, RUSHVILLE, IN 46173	PT 6 13 10	\$ 4,600.00	\$ -	\$ 4,600.00	\$1,418.23
701106262014000011	KETCHUM, LINDA	W WATER ST, RUSHVILLE, IN 46173	PT 6 13 10 .082 603 1/2 W WATER	\$ 4,400.00	\$ -	\$ 4,400.00	\$5,040.78

700732381012000011	CAMERON, RONNIE D II	623 E 5TH, RUSHVILLE, IN 46173	BEECH GROVE ADD PT LOT 16	\$ 9,400.00	\$ -	\$ 9,400.00	\$1,214.24
701105101009000011	CAUDILL, TIMOTHY & ANGELA DEATON	419 N PERKINS, RUSHVILLE, IN 46173	OP PT LOT 98, 99 419 N PERKINS	\$ 11,400.00	\$ 32,100.00	\$ 43,500.00	\$4,107.66
700313377004000015	BOYD, TIMOTHY G & SHELLY BOYD	4418 E 900 N, RUSHVILLE, IN 46173	RALEIGH BEARDS 5	\$ 4,600.00	\$ 24,700.00	\$ 29,300.00	\$1,879.18
700320400002000002	INDIANA HI-RAIL	South of 1st and Main St. Mays, IN	20 15 10 6 WILSON ADD 3 WILSON ADD 6 ROW 2/8/01 (28 S.F.)INCLUDED	\$ 100.00	\$ -	\$ 100.00	\$36.50
700524477003000006	HUGHES, H WAYNE & BERTHA	2293 N 700 W, ARLINGTON, IN 46104		\$ 7,400.00	\$ 38,100.00	\$ 45,500.00	\$2,756.81
700619306001000006	PAUGH, MICHELE	2328 N OAK ST, ARLINGTON, IN 46104	GREEN 2ND ADD 43	\$ 6,900.00	\$ 13,200.00	\$ 20,100.00	\$4,774.84
700619352001000006	RIHM, MICHELLE & JASON	2306 N OAK, ARLINGTON, IN 46104	J W GREENS ADD 17	\$ 6,900.00	\$ 25,500.00	\$ 32,400.00	\$3,246.64
701106263004000011	NICHOLS, SHANAH M	215 S PEARL ST, RUSHVILLE, IN	JENNINGS 2ND LOT 12 215 S PEARL	\$ 7,900.00	\$ 11,800.00	\$ 19,700.00	\$2,941.49
701106264007000011	OWENS, ROBERT	218 S PEARL ST, RUSHVILLE, IN	JENNINGS 3RD LOT 18 218 S PEARL	\$ 3,600.00	\$ -	\$ 3,600.00	\$566.31
701106276002000011	COFFIN, ROBERT G	331 W 3RD ST, RUSHVILLE, IN 46173	P L & C PT LOT 186 331 W 3RD	\$ 10,300.00	\$ 27,200.00	\$ 37,500.00	\$2,398.35
701106278025000011	MATHEWS, MARK D & TAMMY L	223 N MAIN ST, RUSHVILLE, IN 46173	OP PT LOT 16, 17 MANILLA OP PT LOT 3, 2FT STRIP PT LOT 2 PT LOT 3 (8X53) PT LOT 3 (25"N END)	\$ 10,900.00	\$ 49,100.00	\$ 60,000.00	\$40,655.13
700915402007000014	BIDDINGER, ROBB P & VIRGINIA L	9456 W 250 S, MANILLA, IN		\$ 9,400.00	\$ 23,800.00	\$ 33,200.00	\$5,602.14
700915405011000014	HOGAN, JOHN D. & BONITA K.	9356 W PEARL ST, MANILLA, IN	TREES & SPENCER 2	\$ 9,600.00	\$ 11,200.00	\$ 20,800.00	\$4,662.18
700915452005000014	MELTZER, ELLA C.	S CROSS ST, MANILLA, IN 46150	PT SE 15 13 8 .947	\$ 4,700.00	\$ 4,900.00	\$ 9,600.00	\$424.32
700219302001000009	SPENCE, LARRY	401 S HENLEY AVE, CARTHAGE, IN 46115	W J HENLEY 1ST 20 WALNUT RIDGE RD	\$ 9,500.00	\$ 31,400.00	\$ 40,900.00	\$1,407.56
700219352003000009	FYNBOE, KARSTEN E & KELLY A	S HENLEY, CARTHAGE, IN 46115	MOSIER SUB REPLAT 19 15 9 1.922 LOT 2	\$ 2,300.00	\$ -	\$ 2,300.00	\$144.14
700219376001000009	FIRSTAR BANK NA	402 S A ST, CARTHAGE, IN 46115	W J HENLEYS ADD 32,33 402 S MAIN	\$ 9,100.00	\$ -	\$ 9,100.00	\$1,278.15
700731384001000011	WILSAM LLC	810 W 6TH ST, RUSHVILLE, IN	PT SW WM R WARD REPLAT LOT 1 2.494 A	\$ 28,700.00	\$ 73,000.00	\$ 101,700.00	\$13,128.36
			Totals	\$ 272,200.00	\$ 602,100.00	\$ 874,300.00	\$148,873.54

Ken Masters made the motion for the Tax Certificate Sale to begin at 10:00 A.M. Friday, March 25, 2011 and continue until 8:00 P.M. Monday, April 4, 2011. Marvin Cole seconded the motion. Motion carried.

AUDITOR

Deborah Adams, Auditor, received approval of payroll claims ending January 21, 2011 on a motion by Marvin Cole, seconded by Ken Masters. Motion carried. By-Weekly claims were approved on a motion by Marvin Cole, seconded by Ken Masters. Motion carried.

The commissioners signed an SRI Consulting Services Agreement on a motion by Marvin Cole, seconded by Ken Masters. Motion carried.

The Western Rush County Regional Water and Sewer District Subrecipient Semi-Annual Report were approved on a motion by Ken Masters, seconded by Marvin Cole. Motion carried.

The Manilla Community Fire Department Subrecipient Semi-Annual Report was approved on a motion by Marvin Cole, seconded by Ken Masters. Motion carried.

COURTHOUSE

Deborah Adams, Auditor, reported that an insert for payroll checks had been received by Downey Insurance regarding winter weather hazards. This will be included with the January 21, 2011 paychecks. Adams also noted that slip and fall warning decals had also been received and were placed on all four entrances doors.

Adams reported that the “*Operating Certificate*” has been issued and received by the State Fire Marshal for the courthouse elevator. The certificate has been placed in the elevator for public view.

Mary Ann Beard questioned the commissioners regarding the growing bird population around the courthouse. The commissioners explained the progress they have made thus far.

MISC.

- Reviewed the December Treasurers report
- Reviewed December EMS run reports for Carthage Vol. Fire Dept and Rush Memorial Ambulance Service

Motion to adjourn was received from Ken Masters. Marvin Cole seconded the motion. Motion carried.

/s/Tom Barnes
Tom Barnes, Chairman

/s/Marvin Cole
Marvin Cole

/s/Ken Masters
Ken Masters

ATTEST:

/s/Deborah C. Adams

Deborah C. Adams, Auditor